

"IN MODERATION PLACING ALL MY GLORY, WHILE TORIES CALL ME WHIG—AND WHIGS A TORY."

VOL. XX.

WEDNESDAY, SEPTEMBER 3, 1845 No. 2592.

CASH TERMS FOR ADVERTISEMENTS.

For one inch and under, Three Shillings, and One Shilling for every additional inch for each insertion.

The "STURGEON MORNING HERALD" is Published every Morning (Sundays excepted) ; and the Quarters end the 31st March, 30th June, 30th September, and 31st December ; at which periods ONLY can Subscribers decline by giving Notice and paying the amount due to the end of the Current Quarter ADVERTISEMENTS must specify on the face of them the number of times they are intended to be inserted, or they will be continued till countermanded, and charged to the party. No Advertisements can be withdrawn after Eleven o'clock, a. m., but new ones will be received until Nine o'clock in the Evening. No verbal communications can be attended to, and all letters must be post-paid or they will not be taken in.

SHEPPARD AND ALGER.
 and Australian Packet Office,
 408, George-street. 308

WHOLESALE WAREHOUSE,
FITT-STREET,
Opposite the Union Bank

Price by the keg sixteen-pence per lb., and
in smaller quantities eighteen-pence per lb.

City Tea Exchange,
August 30. 3168

CARRIAGE FOR SALE.
LIGHT four-wheeled Carriage,
 fitted for one or two horses.
LEWIS LEON.

Architect, to whom tenders are to be deli
ed, on or before the 16th instant.
JAMES HUME
King-street,
September 2. 3287

nant is well acquainted with the business of all its branches, and could, if required, intend the erecting of machinery for an establishment. For further particulars apply to P.H.S., *Herald Office*. 3290

padlock adjoining the above Inn, all
sed.

Terms at Sale. 200

SHIPPING INTELLIGENCE.

ARRIVALS.

September 2.—*Union*, brig, 215 tons, Captain Balfour, from Manila the 1st July. Passengers—Mr. W. Brown.

September 2.—*Hannah*, schooner, 90 tons, Captain Salmon, from Port Nicholson the 8th July; and Auckland the 8th August. Passengers—Right Rev. Dr. Pomphrey, Roman Catholic Bishop of New Zealand, and servant, Rev. W. Benson, Mr. W. Inglis, and Mr. Baker.

CLEARANCE.

September 2.—*Union*, brig, Captain Grainger, for Launceston. Passengers—Mr. Joshua Lyons, Mr. Solomon, Mr. M'Clure, Miss Dickinson.

COASTERS INWARDS.

September 1.—*Pedlar*, 18, Leslie, from Wellington, with 120 bushels maize, 20 bushels wheat, 45 sides of tallow, 1 case leather, 9 bales kip leather, 1 case kangaroo leather, 12 tons bark, 20 bags potatoes, 5 cwt. butter; Ann, 62, Somerville, from Newcastle, with 70 tons bark; Ebenezer, 49, Milne, from Lake Macquarie, with 60 tons bark, 25 cwt. kauri gum; Nicholson, from Broulee, with 30 tons potatoes; Rose, steamer, 172, Pattison, from Morpeth, with 200 hides, 22 boxes candles, 900 sheepskins, 780 beefs, 32 trusses hay, 200 sheep; Cleve, 49, Milne, from Lake Macquarie, with 45 tons coals; Ruth, 14, Deutia, from Pittwater, with 300 bushels shells; Bride, 19, Mackenzie, from the Hawkesbury, with 6500 fowls hardware, 200 bushels maize, 20,000 shingles; Tread, 12, Cameron, from Brisbane Water, with 12,000 shingles, 600 palings; Curwen Lass, 16, Legge, from Brisbane Water, with 200 bushels shells, 20,000 shingles, 3 tons bark, 69 bushels maize; Dove, 13, Bowden, from Brisbane Water, with 400 bushels shells.

September 2.—*Sarah*, 49, Potter, from Lake Macquarie, with 50 tons coals; Mary Ann, 62, from Port Macquarie, with 700 lbs. cast hard wood, 6000 feet cedar, 15 sides of shingles, 46 casks lime, 900 bushels maize, 1 cask and 2 bags tallow; Hyndra, 30, Stewart, from the Moruya, with 30 tons potatoes, 80 bushels wheat, 200 tons bark, 25 cwt. kauri gum, from Wellington, with 200 bags wheat, 100 bags maize, 30 bags potatoes, 40 kegs butter, 18 boxes eggs, &c.; Ellen, 12, Lane, from Brisbane Water, with 4500 feet timber, and 300 palings.

COASTERS OUTWARDS.

September 1.—*Pedlar*, 18, Leslie, for Wellington, with sugar; Ann, 62, Somerville, for Wellington, in ballast; Elen, 13, Milne, for Lake Macquarie, in ballast; Ruth, 14, Dennis, for Pittwater, in ballast; Rose, steamer, 172, Pattison, for Morpeth, with sundries; Ebenezer, 49, Milne, for Brisbane Water, with sundries; William, 49, Milne, for Lake Macquarie, in ballast; Layington, 20, Hodgkinson, for Kiamua, with sundries; Mary Ann, 13, Christie, for the Hawkesbury, with sundries; George, 35, Hunter, for Bateman's Bay, with sundries.

September 2.—*Brothers*, 10, Barter, for Broulee, with sundries; Georgiana, 25, M'Pherson, for Wellington, with sundries; Ellen, 12, Lane, for Brisbane Water, with sundries; Ebenezer, 49, Milne, for Lake Macquarie, with sundries; Sarah, 49, Potter, for Lake Macquarie, in ballast; Layington, 20, Hodgkinson, for Kiamua, with sundries; Mary Ann, 13, Christie, for the Hawkesbury, with sundries; George, 35, Hunter, for Bateman's Bay, with sundries.

IMPORTS.

September 1.—*Louisa*, brig, 182 tons, Captain Milton, from Hobart Town. Additional freight which was not carried away, 100 tons. Tallow Clearance—1 cask turf, George Thorne; 1 case preserves, J Jacobs; 1 case, W. MacArthur; 1 bundle shafts, J. Allen; 39 biscuits, J. Macnamara; 5 bags potatoes, M. James.

EXPORTS.

September 1.—*Union*, brig, Captain Grainger, for Launceston. Cargoes—J. W. Gooling; 6 tons cedar, 15 sides of shingles, 46 casks lime, 1 bale tallow, J. S. Willis; 23 logs cedar, 61 tons coals, M. Joseph; 200 bags salt, R. Campbell, tertius; 2 casks hats, 1 cask soap, sundry furniture, &c., oranges, Joshua Lyons, and a strong iron safe, M. James.

September 1.—*Orcell*, barque, Captain Tinley, for Calcutta: 54 horses, 2 tons old copper, H. Towns.

September 2.—*Theresa*, barque, Captain Bacon, for Calcutta: 2 horses, Donaldson and Co.; 90 horses, Campbell and Co.

PORT PHILLIP.

ARRIVAL.—August 25. *Maria and Elizabeth*, schooner, Pockley master, from Sydney.

DEPARTURE.—August 25. *William Stordel*, for London.

The brig *Norfolk*, from Liverpool the 1st May, arrived at Port Phillip before the overland mail left; also the *Arah*, from London. The former reported that the *Carabaggio*, with emigrants, sailed ten days before her for Port Phillip. The ship *Euterpe* was laid up at Liverpool for Sydney. The ship *S. George*, hence January 6th, had arrived in London prior to the 29th April. The schooner *Providence* was to leave Port Phillip for Sydney on the 27th ultimo. The *Gem* was laid up there on the 29th ultimo for Adelaide and Mauritius. The *Rindoo* was full, and would sail on the 3rd of May. The *Thomas Lowery* had been got into port: the loss was great by the underwriters.

The *Muree* left this on the 26th April for Manila, since which she has been to that port and brought back a full cargo, consisting of 6108 bags sugar, 80 packages tea, 36 packages cigars, 58 coils rope, and 113 coils bale lashing. The schooner *Montford*, and a strong iron safe, on the 23rd June for Sydney. The *Anita* sailed thence for Macon on the 28th of June. The schooner *Oprey* was to leave for Hobart Town in a few days, with tea and sugar. The voyage of the *Muree* has been effected as an unprecedented short space of time, more especially as she returned east about. She was within 80 miles of the Heads on Wednesday last, when she was struck by a squall, which carried away her fore-top-mast and the chief part of her sails. She saw the *Mount Stuart* E. 30 minutes and Victor on Sunday last, at thirty miles to the northward of the Heads, and the 27th ultimo. The *Gem* put off for the following vessels were at Geelong in February last. The barque *William the Fourth*, with 130 tons sandalwood on board, bound to China; having put in to replace her fore and main masts, which had been carried away. The London whaler *Bermondsey*, with 120 barrels of sperm oil, having discharged 700 barrels before at Manila; she was fitting out at Geelong for the north-west coast. The *Seringapatam*, whaler, and a strong iron safe, on the 23rd June for Sydney. The *Anita* sailed thence for Macon on the 28th of June. The schooner *Oprey* was to leave for Hobart Town in a few days, with tea and sugar. The voyage of the *Muree* has been effected as an unprecedented short space of time, more especially as she returned east about. She was within 80 miles of the Heads on Wednesday last, when she was struck by a squall, which carried away her fore-top-mast and the chief part of her sails. She saw the *Mount Stuart* E. 30 minutes and Victor on Sunday last, at thirty miles to the northward of the Heads, and the 27th ultimo. 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The *Seringapatam*, whaler, and a strong iron safe

The *barque Lady Franklin* will touch at this point on her passage from Norfolk Island to Hobart Town. The brig *Governor Phillips* may be expected here in about a month, from Hobart Town, to take in Commissariat stores for Norfolk Island.

DIARY.
MEMORANDA FOR THIS DAY.

| September. | SUN, rises sets | HIGH WATER moon even. |
|---------------|--------------------|----------------------------|
| 3 WEDNESDAY | 6 10 5 41 | 9 42 10 6 |

First Quarter—September 9, 23 m past 3 P.M.

TO CORRESPONDENTS.

We cannot undertake to insert letters respecting mob holes in the streets. Complaints of that nature should be made to the City Councilors.

THE
Sydney Morning Herald.

WEDNESDAY, SEPTEMBER 3, 1846.

"Sworn to no master, of no sect am I."

ENGLISH NEWS.

WE were translated yesterday, by the knowledge that English news to the May was received in Melbourne on Tuesday morning, and that no one had had sufficient *now* to send a single newspaper or a scrap of news by the overland mail. Various reports were of course current, the most prominent one being that the Oregon question had so satisfactorily settled, which of course cannot be known until the arrival of the June packet. A private letter from Melbourne states that wool was firm; but that tallow was reduced from 2s. to 3s. per cwt., from last advances.

POWERS OF THE JUDGES.

IN our journal of the 6th of March last, we directed public attention to the extraordinary powers with which certain Acts of Parliament and the Charter of King George the Fourth had invested the Judges of our Supreme Court: powers so enormous, that His Excellency Sir GEORGE PHIPPS had felt it his duty to bring them under the special notice of the SECRETARY OF STATE, who readily admitted that they were "too large and unjustified," and suggested that the remedy lay with the local Legislature. On Friday last, the question was mooted in the Council by Mr. COWPER, who moved for and obtained a Select Committee "to enquire into the extent and exercise of the powers of legislation and taxation possessed by the Judges of the Supreme Court;" the Report of the Committee to be presented before the end of October next. Lord STANLEY's suggestion is, that a law should be enacted, providing that all new rules of Court should be laid before the Council for re-issuance, "if required," upon which we remarked in our former article, that it would be better that the enactment should make imperative that all new Rules passed during the recess of Council should be laid upon the table as soon as may be convenient after the commencement of each session.

In seconding Mr. COWPER's motion, Mr. LAMBE adverted to another, though collateral subject—the way in which the Judges were now interfering with Executors and administrators. By a set of rules passed by their Honors on the 17th June last, it was amongst other things, directed, that all Executors by whom the probate of any will shall have been obtained, and all administrators to whom any letters of administration shall have been granted in this colony, at any time after the 1st day of January, 1839, and before the 30th day of June, 1844, do and shall severally, on or before the 30th day of August, 1845, exhibit, and cause to be filed, in the Office of the Registrar and Prothonotary of this Court, a full, true, and perfect inventory of all and singular the goods, chattels, and credits of the deceased testator, or intestate, as the case may be; and do and shall, on or before the 30th day of September next, cause to be made and exhibited to, and filed in the Office of the said Registrar, a full, true, and just account of their respective administrations; and do and shall pass their several accounts before the Court, or, in vacation, one of the Judges thereof, at such time or times as shall be thereafter appointed."

Mr. LAMBE questions the Judges' power to make these orders. Their authority, whatever it may be, is derived from the Charter issued by GEORGE the Fourth, on the 13th October, 1823; which Charter derived its own authority from the Act of Parliament 4 Geo. IV., c. 96, and was renewed and ratified by the 9th Geo. IV., c. 83, sec. 2.

The words of the Charter, touching the point in hand, are, that the Supreme Court "shall have full power" to demand, require, make, hear, examine, and allow, and, if occasion require, to disallow and reject, the accounts of them, in such manner and form as is now used, or may be used, in the said *diocese of London*, and to do all other things whatsoever needful and necessary in that behalf."

The precedent to which the Court is expected to conform, is the usage in the *diocese of London*. What that usage is we know not; but even supposing Mr. LAMBE to be correct in denying that it is in keeping with the "manner and form" now introduced by our Judges, we should be disposed to think that the final words—and to do all other things whatsoever needful and necessary in that behalf—believes them from the obligation to conform to that precedent, whenever they may do it "needful and necessary" to do so.

Moreover, a subsequent clause in the Charter (the 17th) is still more explicit:—And we do further will, order, and require, that the said Court shall fix certain periods when all persons to whom probates or wills and letters of administration shall be granted by the said Court, shall, from time to time, until the effects of the deceased person shall be fully administered, pass their accounts relating thereto before the said Court."

It is impossible not to agree with Mr. LAMBE, however, that if in the course they are now pursuing the learned Judges are right, the course taken by their predecessors during the previous one-and-twenty years was manifestly wrong. For, if their present interference with executors and administrators is really an act of imperative duty, it must follow, we presume, that from the year 1824 to the year 1845, the Judges of the Supreme Court of New

neglect of duty—an imputation with which we should be reluctant to connect such names as those of Sir FRANCIS FORBES, Sir JAMES DOWLING, and Sir WILLIAM WESTBROOK BURTON. It seems to have been always considered by those learned and eminent personages, that all that was required of them by their duty to the public was, that they should "demand, enquire, take, hear, and examine," the accounts of executors and administrators, only when moved to do so on the application of parties concerned.

It appears to us, that in selecting as their starting point the 1st January, 1839, the Judges have gone either too far or not far enough. They have gone six months farther back than in ordinary cases is allowed by the statute of limitations, and years farther back than is fair and equitable between man and man; but if neither the statute nor considerations of fairness were to be taken into account, why, then, we do not see what should have prevented their going back to the very beginning—namely, the year 1821.

Great fault has been with this part of the new Rules which requires inventories to be filed within two months, and accounts within three months, from the date of the Rules. This certainly is, in our opinion, extremely, and quite unnecessarily, impatient and abrupt: for although the 5th Rule provides that "further time may be obtained by order of a Judge, on application for that purpose, (and sufficient cause being shown), through the Registrar," yet, from the excessive shortness of the notice, many persons in the interior will probably not have heard of the Rules until after the expiration of the time limited. And, under any circumstances, the idea of calling upon persons to make up, within the short space of three months, accounts extending through the long term of six years and a half, and to be verified on "oath," does appear to us to be the very climax of the unreasonable and the harsh.

AUSTRALIAN CLERKS' BENEVOLENT FUND.

We regret we have not been able at an earlier date, nor are we now able at such length as we could wish, to treat of the valuable objects of this Association. These objects are three.

The first is, to afford a temporary relief to such of the members as may be thrown out of employment by casualties other than sickness. The administration of the relief here contemplated, is guarded by several regulations, such as, that each member of this class, shall, previous to his admission, be certified to be of good character and steady habits, and the situation held by him in all probability permanent, and that his loss of it shall have been occasioned by no fault of his own. The limitation of the relief to three months is such as will induce him, in case of his being deprived of employment as a clerk, by circumstances likely to prove generally and permanently unfavorable, to accept any other suitable employment that may offer, while it will be yet sufficient to sustain him through such adverse circumstances as he may fairly expect will amend.

The second object of the Association is that of a Friendly Society, to afford relief in sickness to members disabled from following their ordinary occupations. The applicants for membership must be certified to be in sound health and otherwise eligible. The rates of contribution are according to approved tables.

The third object is, on the principle of a life insurance society, to make a provision for the widow, children, or assigns of a member, in the event of his death. The like precautions are taken in the admission of members, and the like approved data adopted in the computations.

These several objects, the several funds applicable to each, and the several classes of members contributing to, and entitled to derive relief from these funds, are kept perfectly distinct; and at the same time the expenses of management are provided for by a fourth and entirely different fund. It is not necessary that each member should contribute to all the funds, he may confine himself to one or more, and for the time being he is enrolled as a member. Nor will the sufficiency of one fund for its separate purpose be in the least affected by the insufficiency, should such occur, of any of the others.

We have looked closely into the rules with a reference to some objections, which it occurred to us such a Society might be liable to, and we are satisfied that this Society is freed from all of them, by the judicious nature of its provisions, with the exception of one, which we do not bring forward with any confidence, namely, that in confining the institution to clerks, its range is unnecessarily limited, while its expenses of management will be as great as if it included persons of several other kindred occupations. We desire to see its benefits extended, and its strength and permanence (particularly in its insurance branch) confirmed, by an enlargement of its numbers, and we are not aware that this enlargement is difficult to effect, or liable to any solid objection.

VAN DIEMEN'S LAND.

We perceive the chief reason which induced the members of the Legislative Council to reject the bill for the appointment of commissioners for lighting and paving Hobart Town, was similar to that with which Municipal Acts were opposed in Sydney, that the Council had not the power to pass such measures; that there should be no taxation without representation. Our readers will remember that at the time we combated this argument, and as we believe convinced many people of its futility, and as we consider that the appointment of a Board of Commissioners for the regulation of municipal matters is to be preferred, at any rate in the first instance, to the establishment of a Corporation, we are sorry that the measure proposed by Sir FREDERICK WILMOT was rejected.

We notice that a petition from a soap manufacturer had been presented to the Council, praying that the same duty may be imposed upon soap imported from Sydney, that is charged in Sydney upon soap from Van Diemen's Land. It is quite time that some understanding on this subject were come to with the sister colony. Reciprocity and protection are

New South Wales and Van Diemen's Land.
We subjoin the Ways and Means for 1846:—

| WAYS AND MEANS | |
|--|---------------|
| For the Civil Service of Van Diemen's Land, with the probable Expenditure for the year 1846. | |
| | £ s. d. |
| Estimated Revenue of 1846, as per Estimate..... | 106,332 15 0 |
| Estimated Expenditure of 1846, as per Estimate..... | 101,638 5 4½ |
| Probable Balance of Revenue over Expenditure..... | £2,694 9 7½ |
| Estimate of the probable amount of Revenue for the year 1846. | |
| | £ s. d. |
| Customs..... | 70,000 0 0 |
| Post Office..... | 5,500 0 0 |
| Receipts from the Commissariat for Postage of Military and Convict Letters..... | 1,500 0 0 |
| Post Office, extra..... | 1,400 0 0 |
| Licenses..... | 9,875 0 0 |
| Increased Duty on Licenses..... | 4,000 0 0 |
| Quit-rents..... | 2,500 0 0 |
| Rents of Government Property..... | 200 0 0 |
| Rents of Public Offices..... | 8,400 0 0 |
| Ferries..... | 1,657 16 0 |
| Total Ordinary..... | £105,135 15 0 |
| EXTRAORDINARY. | |
| Five per cent. on £ s. d. | |
| The Excess of all Salaries above £300 per annum 897 0 0 | |
| Printing, Done the Government Printing Office for the Convict Department..... | 300 0 0 |
| Total Extraordinary..... | £1,197 0 0 |
| Total REVENUE..... | £106,332 15 0 |
| Estimate of the probable amount of Land Revenue during the year 1846. | |
| | £ s. d. |
| Proceeds of sale of Crown Land..... | 8,000 0 0 |
| Timber and Grazing Licenses..... | 5,600 0 0 |
| Total Land Revenue..... | £13,600 0 0 |

MAURITIUS.

A FEW Mauritius papers have come to hand, *via* Van Diemen's Land, but of late no word of any of both *Creeeen* and *Mauricien* have failed to reach us, that we are unable to give any very satisfactory account of the course of events in Mauritius. It will be remembered that the Coolie Immigration formed the principal topic of discussion in former dates, and that there was some probability of difference of opinion, if not of collision, between the Governor, Sir WILLIAM GOMM, and the Legislative Council on the subject. We have no accounts of the proceedings, but the result, it appears, has been what was anticipated. Sir WILLIAM GOMM, while recommending and adopting every means to protect the Coolies, leaves the planters and employers of labour to protect themselves in the best way they can. A large number of the planters have again addressed Sir WILLIAM GOMM, almost in terms of supplication, to adopt some measures for their relief. Coolie Immigration appears not to have had at all the effect which it was anticipated it would, in ameliorating the condition of the planters. It appears that the Island of Bourbon had been threatened with famine, and the Legislative Council of Mauritius, at the instance of the GOVERNOR had passed a bill authorising the export from Mauritius to Bourbon of large quantities of rice. The Government of Bourbon was lavish in its expressions of gratitude on the occasion. The arrival of three Roman Catholic priests, who were to be followed by the Roman Catholic Bishop and eight more priests, appears, according to the *Mauriciens* to have excited considerable interest amongst the inhabitants who are of that persuasion, and given much satisfaction. We do not observe any thing further in the papers come to hand. The latest date is 20th June.

LEGISLATIVE COUNCIL.

TUESDAY.

THE SPEAKER took the Chair at half-past three.

A Messenger from His Excellency the Governor having been announced, the Private Secretary was introduced, who presented four Messages from His Excellency to the Council.

CUSTOMS DUTIES.

The first of these Messages was then read as follows:—

Message from His Excellency the Governor to the Legislative Council, laying before the Council a Bill, intituled, "An Act to alter the Duties of the Colonies, which this measure in the Colony of New South Wales."

Gentlemen,—In the speech with which I, on the 29th ultimo, opened the present session of this Council, I stated that I should have occasion to refer to the Duties of the Colonies, which measure in the colony by the illicit distillation of ardent spirits.

I believe it will not be found possible to prevent the illicit distillation of ardent spirits, so long as the high duties now payable on them by the law shall be continued; the Bill which I present to you, proceeds therefore on the principle of reducing those duties to one half of their present amount, making good to the Exchequer the loss which this measure may be expected to produce, by an increase on the duties of some other article*.

The Bill is the same in principle as that which I reserved for the consideration thereon on the 29th ultimo, in the month of December, 1843, but which, under the 32nd clause of the Constitutional Act of the colony, cannot now have any force, it having been notified to me by the principal Secretary of State for the Colonies, that Her Majesty's assent will not be given to it.

GEORGE GIPPS.

Government House.
Sydney, September 2, 1845.

THE SPEAKER, in pursuance, in the month of December, 1843, ordered, upon the motion of the COLONIAL SECRETARY, to be printed, and taken into consideration to-morrow, (this day.)

GOVERNMENT OFFICERS.

The second Message was to the following effect:—

Message from His Excellency the Governor, replying to an Address from the Council, dated the 26th August, 1845, wherein His Excellency was called by Government Officers to the Council a copy of all correspondence which has taken place between the Governor of the colony and the Secretary of State relating to the propriety of electing seats in the Legislative Council, which this measure the Council, Gentlemen,—I herewith present in the Council, an extract from a Despatch which I have received from the Secretary of State, in which it is clearly laid down, that on questions deemed to be of importance to the representative of Her Majesty, persons who hold office in the colony during Her Majesty's pleasure, and who may at the same time be members of the Legislative Council, are not at liberty to oppose in their latter capacity the Government which it is their duty in their former capacity to serve.

GEORGE GIPPS.

Government House, Sydney,
2nd September, 1845.

THE SPEAKER, in pursuance of the order of His Excellency Sir George Gipps, No. 1, of

"If Her Majesty's officers think fit to assume relations and responsibilities disqualifying them for the support of Her Majesty's Representatives, they are of course perfectly free to do so, but I am not prepared to permit to retain their employment, otherwise there would not only be an end to all concert and subordination in Her Majesty's service, but the sincerity and good-faith of those by whom the Government would be brought into serious discredit.

"I am not forgetful that any general rules which could be laid down on a subject of this nature must require qualification and modification, and I am not prepared to precipitately to foreclose, and to provide for I refer to your own discretion the application in particular cases, as they may arise of the general principles, which I apprehend will be found to be sound, and which I am prepared to support, and for the information of the officers of the Crown serving under you."

The above Message, and its accompanying Extract, were ordered upon the motion of the Colonial Secretary to be printed, and the former to be entered on the minutes.

THE COLONIAL DISTILLERIES.

The third Message was to the following effect:—

Message from His Excellency the Governor to the Legislative Council, proposing that an additional sum of £600 be appropriated to the service of the Department of Colonial Distilleries for the year 1846.

Gentlemen.—The rewards offered by my Government for the detection of the sale of illicit distillation have hitherto been paid out of the duty raised on spirits distilled in the colony, under the authority, or supposed authority, of the 36th clause of the Constitution, and the SECRETARY of the Council appeared to me, and I must say it still continues to appear to me, that Parliament intended to place the Revenue Department of the colony on the same footing as that on which the Customs Department is placed in the United Kingdom.

A doubt, however, having been raised as to the intention of this clause, I now propose to place on the estimates for 1846 the sum of £600 to be applied whether or not the Department of Colonial Distilleries, including awards for information leading to the detection of illicit distillation.

I have not the smallest desire to interfere with the Council in its possible discussion of doubtful legality, and consequently should the Council not think it right to vote this money, I shall immediately call the several notices which have been presented respecting the payment of these rewards.

GEORGE GIPPS.

Government House, Sydney,
22d September, 1845.

The above Message was ordered, upon the motion of the COLONIAL SECRETARY, to be printed, and taken into consideration to-morrow, (this day).

SUPPLEMENTARY ESTIMATE.

The fourth Message was next read as follows:—

Message from His Excellency the Governor to the Legislative Council, on presenting to the Council the Supplementary Estimate for the service of the current year, 1845.

Gentlemen.—In the financial statement presented to the Council on the 14th August last, I stated that I should find it necessary to submit to your consideration, a Supplementary estimate for the service of the current year, the estimate amounting to £9801 16s. 9d., I have the pleasure to announce that in the last session of the Council, the sum of £2000 was appropriated towards the erection of a bridge over the Yarra River at Melbourne; and it having since been proposed to the Government of Victoria that the said bridge should be constructed more expensive plan, and at a still considerably more additional sum of £10000 is now placed on the Supplementary estimate, chiefly for the purpose of bringing the said bridge to completion, and the Council will sanction the increased expenditure necessary for carrying the improved plan into effect.

On the 12th ultimo, an address was presented to the Council, from the Council, saying that I would place on the Supplementary Estimates for the present year a sum of £1000 for the repair of dilapidated bridges on the Great South Road, between the County of Cumberland and the County of Sydney, and that the Government was not, I sincerely, I think, well, but I was not, I request I might be, it would lead to the demands of a similar nature from nearly every district in the colony.

It is more desirable to propose that the sum of £3000 be appropriated towards the repair of dilapidated bridges beyond the County of Cumberland on the whole of the roads mentioned in Schedule A, attached to the Estimates of the Colonies, and that at the sum of £1000 be appropriated for similar repairs in the Port Phillip district, on the high road to Sydney.

If these sums be voted, and the distribution of the said sums be determined, I shall endeavour to divide and apply the money equally, and to the best advantage; though I feel necessary to remark, that it will be scarcely possible to do this to the satisfaction of all the parties concerned, and that the Government will be under the necessity of being charged with the execution and superintendence of the repairs.

On the 12th ultimo information reached me from Captain Blackwood of her Majesty's ship *Porpoise*, that the Government vessel belonging to the ship *Coringa Packet*, wrecked on the Barrier Reef, had been left in May last on a barren island about 1200 miles from Sydney, and in latitude nearly 17° south, and longitude nearly 150° east, and that it was the Government's own responsibility, a vessel to be sent to her relief; and I have caused the sum of £300 to be placed on the Supplementary estimate to cover the probable expense of this service.

GEORGE GIPPS.

Government House,
Sydney, 22d September, 1845.

The above Message and the accompanying Extract, were ordered to be printed, and the former to be entered on the minutes of the COLONIAL TREASURER, to be presented, and taken into consideration on Wednesday, the 10th instant.

SAVINGS BANK.

Dr. NICHOLSON gave notice of his intention, on Wednesday next, to move for copies of the Correspondence between the Trustees of the Savings Bank, and the Colonial Secretary, on the subject of the investment of the accumulated fund.

MONOPOLY OF COALS.

Mr. WENTWORTH gave notice of his intention, on Friday next, to move an address to His Excellency the Governor, requesting that he will be pleased to lay before the Council a Bill, entitled "An Act to amend the Instructions relating to the monopoly of coal sold to the Colonists by the Australian Agricultural Company, and to the reservation of coal in grants from the Crown. Also, for copies of all correspondence between the Government and the Instructions recently brought by the Attorney-General against James Burns, for working a coal mine contrary to such reservation."

BUILDING ACT.

Mr. WENTWORTH gave notice of his intention, on Friday next, to move for leave to introduce a Bill to amend the Building Act.

CARCOAR.

Mr. ICLEJ gave notice of his intention, on Friday next, upon the motion of his Excellency the Governor, praying that he will be pleased to place on the estimates for 1845, a sum not exceeding £100 for the erection of a pick-up at Carcoar.

PORT AND HARBOURS ACT.

Mr. LAMM gave notice upon the table, a Bill, which he had received leave to introduce on Friday last, for amending schedule B of the Harbours Act, and the Bill having been read a first time, was ordered to be printed, and read a second time on Wednesday next.

AUSTRALIAN COAL AND FLOUR.

Mr. LOWE gave notice of his intention, on Friday next to move, that petitions be presented from the House to Her Majesty the Queen, and both Houses of Parliament, praying for the repeal of the Act, which gave to the Australian Colonies, the produce of the coal and flour imported into the Colonies, the right to export to England upon the same terms as at from Canada.

DEPUTY PURVEYOR-GROF.

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